

Express Mail No. ER012047257US

Practitioner's Docket No. POKDAC-37 PATENT

## COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

### TYPE OF DECLARATION

This declaration is of the following type: original

### INVENTORSHIP IDENTIFICATION

My residence, post office address and citizenship are as stated below, next to my name. I believe that I am the original, first and sole inventor of the subject matter that is claimed, and for which a patent is sought on the invention entitled:

### TITLE OF INVENTION

MODIFIED POKER CARD GAME

### SPECIFICATION IDENTIFICATION

the specification of which: is attached hereto.

### ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claim(s).

I acknowledge the duty to disclose information, which is material to patentability as defined in 37, Code of Federal Regulations, Section 1.56, and which is material to the examination of this application, namely, information where there is a substantial likelihood that a reasonable examiner would consider it important in deciding whether to allow the application to issue as a patent, and in compliance with this duty, there is attached an information disclosure statement, in accordance with 37 C.F.R. 1.98 or a statement.

### PRIORITY CLAIM (35 U.S.C. 119(a)-(d))

I hereby claim foreign priority benefits under Title 35, United States Code 119(a)-(d) of any foreign applications for patent or inventor's certificate or of any PCT International application(s) designating at least one country other than the United States of America listed below and have also identified any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of

America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

Not Applicable to the present invention as this is the inventor's first filing anywhere in the world. No such applications have been filed.

**CLAIM FOR BENEFIT OF PRIOR U.S PROVISIONAL APPLICATION(S)**  
(35 U.S.C 119(e))

I hereby claim the benefit under Title 35, United States Code 119(e) of any United States provisional application(s) listed below:

Not Applicable. No such applications have been filed.

**CLAIM FOR BENEFIT OF EARLIER U.S /PCT APPLICATION(S)**  
**UNDER 35 U.S.C. 120**

Not Applicable. No such applications have been filed.

**ALL FOREIGN APPLICATION(S), IF ANY, FILED MORE THAN 12 MONTHS**  
**(6 MONTHS FOR DESIGN) PRIOR TO THIS APPLICATION**

Not Applicable. No such applications have been filed.

**POWER OF ATTORNEY**

I hereby appoint the following Registered Patent Agent to prosecute this application and transact all business in the Patent and trademark Office connected therewith.

**Joseph R. Birkner, M.E.**  
**Registered Patent Agent**  
**Patent and Trademark Registration Number: 42,328**

Please Send Correspondence to and Direct Telephone Calls at (978) 536-2864 to Joseph R. Birkner at the following:

Customer Number:



**23341**

PATENT TRADEMARK OFFICE

**DECLARATION**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or patent issued thereon.

**INVENTOR SIGNATURE and REFERENCE DATA**

**Full name of sole or first inventor:** Thomas M. Dacey

**Inventor's signature:** Thomas M. Dacey

**Date of signature:** 9-9-03

**Country of Citizenship:** United States of America (USA)

**Residence:** 17 Nelson Avenue  
Beverly, MA 01915

**Post Office Address:** Same

**Statement Where No further Pages Added:**

This Declaration and Power of Attorney ends with this page.

Practitioner's Docket No. POKDAC-37 PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application of Inventor(s): Thomas M. Dacey

For (title): MODIFIED POKER CARD GAME

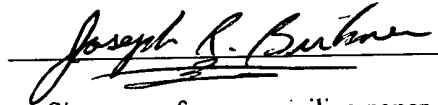
the specification of which is being transmitted herewith

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT  
CERTIFICATION UNDER 37 C.F.R. 1.10

I hereby certify that this New Application and the documents referred to as attached therein are being deposited with the United States Postal Service on this date 9-9-03 in an envelope as "Express Mail Post Office to Addressee", mailing Label Number ER012047257US addressed to the Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450.

Joseph R. Birkner  
(person mailing paper)



Signature of person mailing paper

LIST OF SECTIONS FORMING PART OF THIS INFORMATION DISCLOSURE  
STATEMENT

1.  Preliminary Statements
2.  Form PTO/SB08 (formerly Form PTO-1449)
3.  Copies of Listed Information Items Accompanying This Statement
4.  Identification of Person(s) Making This Information Disclosure Statement

**Section 1. Preliminary Statements**

Applicants submit herewith patents, publications or other information, of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135, O.G. 13-25, at 25.

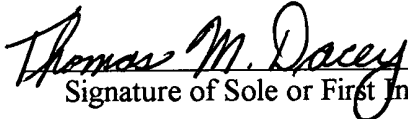
**Section 2. Form PTO/SB/08 (formerly Form PTO-1449)**

**Section 3. Copies of Listed Information Items Accompanying This Statement**

None, as listed, are required after June 30, 2003.

**Section 4. Identification of Person(s) Making This Information Disclosure Statement**

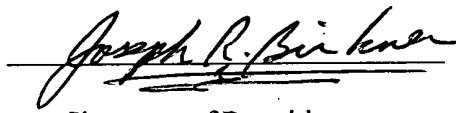
The person(s) making this statement is/are: the Inventor(s) who sign(s) below

  
Signature of Sole or First Inventor

Thomas M. Dacey

(type name of Inventor who is signing)

the practitioner who signs below on the basis of this information supplied by the inventor(s) in the practitioner's file.

  
Signature of Practitioner

Joseph R. Birkner, Registered Patent Agent  
Registration No. 42,328

Customer number:



**23341**

PATENT TRADEMARK OFFICE